Lexington Virginia
www.lexingtonva.gov

Planning & Development Department
P.O. Box 922
300 East Washington Street
Lexington, Virginia 24450
Phone: (540) 462-3704 Fax: (540) 463-5310

APPLICATION FOR CONDITIONAL USE PERMIT

Applicant[1]

Name: _____ Phone: _____

Company: _____ Fax: _____

Address: _____ Email: _____

Applicant's Signature: _____ Date: _____

Property Owner

Name: _____ Phone: _____

Address: _____ Email: _____

Owner's Signature: _____ Date: _____

Proposal Information[2] (attach list of properties if request includes multiple properties)

Address (or location description): _____

Tax Map: _____ Deed Book and Page #: _____

Acreage: _____ Zoning (attach any existing zoning conditions or proffers): _____

Description of Proposal[3]: _____

_____

_____

1. ***Prior to submitting an application, the applicant is required to meet with staff for a pre-application meeting.***
2. ***Any application deemed incomplete by staff will not be accepted.***
3. ***Please refer to page 3 of this application for the conditions of issuance for all conditional use permit applications. Submitting a sketch plan or other visual detail of your request is highly encouraged.***

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Notice to Adjacent Property Owners

The City will give notice of public hearings to be held on the application to those persons who own property, any portion of which abuts the subject property, and all property which is directly across the street from any portion of the subject property, as determined by the City's real property tax records. This notice will give the date, time and place of the hearing, identify the property which is the subject of the application and give a brief description of the proposed action. Notices will be mailed a minimum of ten (10) days prior to the date of the scheduled public hearings.

Posting of the Property

The City will place a sign on the subject property which indicates that an action is pending. The sign will be located to be clearly visible from the street.

THIS SECTION TO BE COMPLETED BY STAFF ONLY

Application Fee: $400 Amount Paid: _____ Case Number: CUP-_____-_____

Date Received: _____ Received By: _____

Staff Review

Planning: _____ Public Works: _____

Police: _____ Fire/Rescue: _____

Public Hearings

Planning Commission	City Council
Legal Ad Dates: _____	Legal Ad Dates: _____
Adj. Property Notifications: _____	Adj. Property Notifications: _____
Public Hearing Date: _____	Public Hearing Date: _____
Action: _____	Action: _____

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Conditions of Issuance

§ 420-11.C of the City of Lexington Zoning Ordinance outlines the conditions under which a conditional use permit may be issued. These conditions are as follows:

1) Conditional use permits may be issued for any of the uses for which a conditional use permit is required by the provisions of the zoning ordinance, provided that the governing body, upon a recommendation by the Planning Commission, shall find that:
    a. The proposed use will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use.
    b. The proposed use will not be detrimental to the public welfare or unduly injurious to property values or improvements in the neighborhood.
    c. The proposed use will not be in conflict with the policies and principles of the City's adopted Comprehensive Plan.
    d. Adequate public services, including streets and other trafficways, utilities, police and fire protection, are or reasonably will be available to support the proposed use.
2) Where the provisions of this chapter require conditional use permits for certain parking lots and drive-in facilities in the Commercial District (Central Business) C-1, due consideration shall be given in general to the purposes of the C-1 District and specifically to the effect of such parking lot or drive-in facility on the historic pattern of buildings and, in particular, on the maintenance of a compact, efficient and attractive retail facade and arrangement of buildings; on the use of off-street circulation ways, including use of alleys; on the location of access points and relationship to traffic and pedestrian flow; and on the adequacy of off-street waiting area at drive-in facilities.
3) In granting any conditional use permit, the governing body shall give due consideration to factors relevant to the findings required by Subsection C(1) and (2), as well as to any other reasonable land use and zoning considerations as may be required by the nature of the proposed use or as may be otherwise appropriate to effectuate the intent of this chapter, and the governing body shall designate such conditions as it deems necessary to carry out the intent of this chapter. The application for such conditional use permit shall be accompanied by such written and graphic material as may be necessary to enable the Planning Commission and the governing body to make the recommendation and findings set forth above.